

thereof, which may include the cost of making such surveys, plans, specifications, and estimates.

(b) Copies of the specifications shall be submitted with the plans and estimates, except that where standard specifications have been submitted by the highway department and approved by the Chief of the Bureau of Public Roads a statement to the effect that approved standard specifications shall govern may be submitted in lieu thereof.\*†

**25.6 Project agreements.** (a) A project agreement between the highway department and the Secretary for each flood-relief project or section thereof shall be executed on a form to be furnished by the Secretary. No payment shall be made by the United States unless or until such agreement has been executed.

(b) Subsequent to execution of the agreement no change which will increase the cost of a project to the Federal Government shall be made, except upon approval of the Secretary, and no changes shall be made in the termini or type, except upon approval of the Chief of the Bureau of Public Roads, but minor alterations which do not affect the general nature of the improvement or increase the total cost to the Federal Government may be authorized by the Chief of the Bureau of Public Roads or his authorized representative.\*†

**25.7 Force account work.** Force account projects may be approved to the limited extent determined by: (a) The availability of suitable equipment owned by the State, (b) work of a character not feasible to contract, and (c) the availability of an efficient force already organized by the State and operating or ready to operate without delay.\*†

## PART 26—REGULATIONS UNDER THE FLOOD RELIEF ACT FOR MISSOURI, MISSISSIPPI, LOUISIANA, AND ARKANSAS

Sec.	Sec.
26.1 Definitions.	26.5 Project statements.
26.2 Application of regulations.	26.6 Surveys, plans, specifications, and estimates.
26.3 Program of flood-relief projects.	26.7 Project agreements.
26.4 Reimbursement for work completed prior to approval of act.	26.8 Force account work.

### CROSS REFERENCE

Regulations relating to the relief functions of the Army: See Army: War Department, 10 CFR Part 2.

**Section 26.1 Definitions.** For the purposes of the regulations in this part the following terms shall be construed, respectively, to mean:

(a) **Act.** Those provisions of the act of Congress approved February 28, 1929, entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes" (45 Stat. 1381, 1382) appropriating specific sums for the relief of the States of Missouri, Mississippi, Louisiana, and Arkansas, respectively, because

of the unusually serious financial loss to such States through the damage to or destruction of roads and bridges by the floods of 1927.

(b) **Secretary.** The Secretary of Agriculture of the United States.

(c) **Authorized representatives of the Chief of Bureau of Public Roads.** District engineers and such other officials or employees as the Chief of Bureau may designate from time to time.\*†

\*§§ 26.1 to 26.8, inclusive, issued under the authority contained in 45 Stat. 1381, 1382.

†In §§ 26.1 to 26.8, inclusive, the numbers to the right of the decimal point correspond with the respective regulation numbers in Rules and regulations, Secretary of Agriculture, Apr. 19, 1929.

**26.2 Application of regulations.** (a) The rules and regulations in this part shall apply to all projects (or portions of projects) which may be submitted by a State under the act, whether such projects are or are not on the system of Federal-aid highways.

(b) All projects submitted by a State under the act shall be subject also to the rules and regulations in Part 1 for carrying out the Federal Highway Act (except the provisions thereof relative to forest roads), in so far as such rules and regulations are not inconsistent nor in conflict with the Act or with the rules and regulations in this part.

(c) That portion of the Act which reads "In such manner as to give the largest measure of permanent relief" is construed to comprehend: (1) The establishment of continuity of routes in whole or in part destroyed or damaged by the floods of 1927, so designed and built as to afford adequate highway service within the most reasonable maintenance cost; (2) the rebuilding or restoring of feeder roads, including bridges, to the main routes, in a manner adequate for the traffic, and designed to withstand future possible floods; and (3) such incidental work as may be necessary to protect and to complete the improvement in a manner calculated to prove durable and lasting.

(d) That for the purpose of determining the sums of money actually expended by the States prior to the passage of the Act for the restoration of roads and bridges damaged or destroyed by the 1927 floods the highway departments shall submit to the Secretary certified statement with supporting documents showing the money so expended from State funds. The term "State funds" is construed to mean funds derived solely from State sources as distinguished from funds supplied by counties or other local subdivisions of the State.

(e) The last proviso of the Act which specifies that "Where any roads or bridges shall be or shall have been constructed of a more expensive type than those which were damaged or destroyed, the appropriation contained herein shall not be used to defray any part of the increase in cost occasioned thereby" relates to the character or type of a road or bridge damaged or destroyed and not to its cost. Reimbursement may therefore be made (1) to the extent of 50 percent of the cost of a road or bridge reconstructed or to be reconstructed of a similar type, although of greater cost, or (2) where a more expensive type of road or bridge is or has been reconstructed,

to the extent of 50 percent of the reconstruction costs of a road or bridge of a type similar to that which was damaged or destroyed.\*†

CROSS REFERENCE: For provisions relative to forest roads, see Part 15.

**26.3 Program of flood-relief projects.** (a) On or before July 1, 1929, the highway department of each of the States of Missouri, Mississippi, Louisiana, and Arkansas shall file with the Secretary a map on which shall be shown the several areas in which roads and bridges were damaged or destroyed by floods during the calendar year 1927.

(b) A tabulation shall be submitted showing the location, length, and type of roads and bridges which were damaged or destroyed by floods, and the type of roads and bridges which have been restored with the State funds for which reimbursement is to be requested.

A similar tabulation shall be submitted showing the location, length, and type of roads and bridges damaged or destroyed by floods which are proposed for reconstruction under the provisions of the act.

(c) Where a more expensive type of road or bridge is to be reconstructed the State highway department shall show separately the estimated cost of the restoration of the type that has been damaged or destroyed and the estimated cost of the more expensive type.

(d) With the approval of the Secretary the program as submitted by a State may be revised or amended from time to time.\*†

**26.4 Reimbursement for work completed prior to approval of act.** (a) Vouchers may be submitted covering all roads and bridges restored prior to February 28, 1929. Such vouchers must be accompanied by supporting data setting forth the location, length, type of reconstruction, itemized statement of cost of reconstruction from State funds, with all supporting documents evidencing payments made, and a statement that the work was performed because of damage or destruction by the 1927 floods. This information should be given for each road or bridge on account of which reimbursement is requested.

(b) Where a road or bridge has been reconstructed of a higher type, an estimate of the cost of reconstructing the same of a type similar to that damaged or destroyed should be furnished in addition to the information required by (a) of this section.

(c) The request for reimbursement shall be made on a form to be furnished by the Secretary of Agriculture.\*†

**26.5 Project statements.** (a) The highway department of each State shall submit, on the regular Federal-aid forms of the Bureau of Public Roads, a project statement for each proposed flood-relief project to be reconstructed under the provisions of the Act. Each project shall be designated "State ———, Flood-Relief Project No. ———." These projects shall be numbered consecutively, in the order of their submission, from 1 up.

(b) Such project statements may be submitted in general terms descriptive of the work to be done, (1) over a route if on a Federal-aid highway or a main State highway, or (2) within a county or town if not on a Federal-aid highway or main State highway. After such project statement is approved, the plans, specifications, and

estimates may be submitted by sections, lettered consecutively. Each section shall be accompanied by a sketch map and other information in such detail as will enable the Secretary to determine the relation of the work proposed to the damage wrought by the floods of 1927, the measure of permanent relief which it will afford, and the propriety of its approval under the Act.

(c) In addition to ordinary bridge work, grading, and surfacing incidental to the type of highway improvement determined, projects may include such items as channel changes, stream control, or other work necessary to the completed road, but shall not include charges for rights of way or damages to private property.\*†

**26.6 Surveys, plans, specifications, and estimates.** (a) The surveys, plans, specifications, and estimates shall be made by the highway departments of the respective States and shall show in convenient form and detail the work to be performed and the probable cost thereof, which may include the cost of making such surveys, plans, specifications, and estimates.

(b) Copies of the specifications shall be submitted with the plans and estimates, except that where standard specifications have been submitted by the highway department and approved by the Chief of the Bureau of Public Roads a statement to the effect that approved standard specifications shall govern may be submitted in lieu thereof.\*†

**26.7 Project agreements.** (a) A project agreement between the highway department and the Secretary for each flood-relief project or section thereof to be constructed shall be executed on a form to be furnished by the Secretary. No payment shall be made by the United States unless or until such agreement has been executed.

(b) Subsequent to execution of the agreement no change which will increase the cost of a project to the Federal Government shall be made, except upon approval of the Secretary, and no changes shall be made in the termini or type, except upon approval of the Chief of the Bureau of Public Roads, but minor alterations which do not affect the general nature of the improvement or increase the total cost to the Federal Government may be authorized by the Chief of the Bureau of Public Roads or his authorized representatives.\*†

**26.8 Force account work.** Force account projects may be approved to the limited extent determined by: (a) The availability of suitable equipment owned by the State, and (b) work of a character not feasible to contract.\*†

**HOG CHOLERA:** See Animals and Animal Products, 9 CFR Parts 76, 118, 119, 131.

**HOME OWNERS' LOAN CORPORATION:** See Housing Credit, 24 CFR Chapter IV.

**HOMESTEADS:** See Public Lands, Interior, 43 CFR Parts 65, 66, 166-170.

**HOSPITAL AND MEDICAL CARE OF INDIANS:** See Indians, 25 CFR Parts 84-85.

**HOSPITAL AND WELFARE SERVICES IN GENERAL:** See Public Health, 42 CFR Chapters I-IV.

**HOT SPRINGS NATIONAL PARK: BATH HOUSE REGULATIONS:** See Parks and Forests, 36 CFR Part 21.

\*†For statutory and source citations, see note to § 26.1.